



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
06/558,551	12/05/83	KEVIN W. MOORE ET AL.	

William M. Smith
DNAX Research Institute of Molecular &
Cellular Biology, INC.
1450 Page Mill Road
Palo Alto, CA 94304

EXAMINER	
ART UNIT	PAPER NUMBER
	20
DATE MAILED: July 1, 1986	

Receipt is acknowledged of the statement filed

JUNE 6, 1986 under the provision of:

Section 152 of the Atomic Energy Act, 42
U.S.C. 2182, as amended.

Section 305(c) of the National Aeronautics and
Space Act of 1958, 42 U.S.C. 2457.

THE STATEMENT IS INSUFFICIENT SINCE:

it is not in the form of an oath or a
declaration (as provided by 37 CFR 1.68).

it fails to set forth the "full facts"
surrounding the making and conception of
of the invention as required by the Act.
The full facts should include whether the
invention was made and conceived during
working hours of an employer, or on the
inventor's own time, using his/her employer's
or his/her own funds, facilities, materials
and services.

in addition to setting forth the full
facts concerning the circumstances under
which the invention was made, a statement
in accordance with the statutory
requirements setting forth of the
relationship (if any) of such invention
to the performance of any work under any
contract or arrangement of the Agency was
not recited.

the section requires the statement be
executed by "applicant" and this is
construed in accordance with patent
statutes as meaning the person or persons
who may apply for a patent. It is noted
that this includes all joint inventors if
the invention is joint, unless deceased,
incompetent or unavailable within the
meaning of 37 CFR 1.47. If a statement
by someone in place of the unavailable
inventor(s) is to be accepted, the same
proofs, information and assignment
called for by 37 CFR 1.47(b) should be
furnished, including the inventor's last
known address. This has not been done.

Other _____

This application will be reached in about
thirty (30) days for consideration of the need to call
it to the attention of the Commissioner for the purpose
of formally requesting a statement under said section,
unless a supplemental statement is voluntarily filed in
the meantime. Should it be necessary to issue a
formal requirement for the statement, no provision is
found for extension of the time limit of 30 days after
requirement is made, nor for revival of an application
abandoned for failure to timely file an acceptable
statement.

SPECIAL LAWS
ADMINISTRATION GROUP
(703) 557- 9913

PETER A. NELSON
EXAMINER
GROUP ART UNIT 223

PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE ATTENTION OF LICENSING
AND REVIEW.



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